
ENVIRONMENTAL Fact Sheet



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2008

Selling Developed Waterfront Property *Site Assessment Study Required*

Relevant Law: RSA 4:40-A, 485-A:2, 485-A:39.

Relevant Adm. Rule: Env-Wq 1025

Statutory Requirements

Prior to executing a purchase and sale agreement for any “developed waterfront property” using a septic disposal system, an owner shall, at his expense, engage a permitted subsurface sewer or waste disposal system designer to perform an on-site assessment study.

“Developed waterfront property” means any parcel of land which is contiguous to or within 200 feet of a great pond as defined in RSA 4:40-A and upon which stands a structure suitable for either seasonal or year-round human occupancy. A **great pond** is defined in RSA 4:40-A as “a public water body of more than 10 acres.” (Note that a site assessment study must be conducted whenever any part of the property is within 200 feet of the great pond, not merely when the structure or the septic disposal system is within 200 feet of the water.)

The site assessment study is a report prepared by a DES-permitted septic system designer that you as the seller hire to determine if your site meets the current standards for septic disposal systems established by DES.

The assessment originally had been required prior to listing or offering the waterfront property for sale, but since 1993, it has been required prior to executing a purchase and sale agreement and must include an on-site inspection. The site assessment form may be found in the Appendix Section of Administrative Rules Env-Wq 1000 or may be obtained from the DES Subsurface Systems Bureau.

For Further Information

If you have any questions concerning septic systems, contact DES Subsurface at (603) 271-3501, or PO Box 95 - 29 Hazen Drive, Concord, NH 03302-0095; (603) 271-3711; Fax: (603) 271-6683; www.des.nh.gov/ssb/.